

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)  
FY 2006**

Docket Number (Optional) 1312.03

In re Application of: Shattuck et al.

Application Number: 10/655,543

Filed: September 3, 2003

For: OBESITY GENE AND USE THEREOF

Art Unit: 1634

Examiner: J. Sitton

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

- |   | Fee    | Small Entity Fee |           |
|---|--------|------------------|-----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))  | \$120  | \$60             | \$_____   |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))  | \$450  | \$225            | \$ 450.00 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))   | \$1020 | \$510            | \$_____   |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))  | \$1590 | \$795            | \$_____   |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))  | \$2160 | \$1080           | \$_____   |
| <br><input type="checkbox"/> Applicant previously claimed small entity status. See 37 CFR 1.27.   |        |                  |           |
| <br><input type="checkbox"/> A check in the amount of the fee is enclosed.  |        |                  |           |
| <br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |        |                  |           |
| <br><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.  |        |                  |           |
| <br><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1627. |        |                  |           |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the  applicant/inventor

assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)

attorney or agent of record. Registration Number 53,215

attorney or agent under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

/Herbert L. Ley III/

Signature

December 21, 2006

Date

Herbert L. Ley III, Ph.D., 53,215

Typed or printed name

(801) 584-3600

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required; see below.

Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122, 133, 135, 136, 137, 138, 139, 141, and 144. This collection is required to take into account the costs of processing gathered, preparing, and submitting the completed application forms to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you need to complete the form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.